

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ALFRED T. GIULIANO, CH. 7 TRUSTEE
FOR THE ESTATE OF WEISMAN
DISCOUNT HOME CENTERS, INC.,

Plaintiff/ Judgment
Creditor,

Case No.: Misc 11-753

-against-

ORDER TO SHOW CAUSE

N.B. MARBLE & GRANITE INC.,

Defendant/ Judgment
Debtor.

Upon the annexed declaration of Oksana G. Wright, dated November 15, 2012, the
exhibits annexed thereto, the accompanying memorandum of law, and the pleadings herein it is

ORDERED, that Defendant, N.B. Marble & Granite Inc. ("N.B. Marble"), show cause before

this Court at Room 504 North United States Courthouse, 225 Cadman Plaza, New ~~York~~ Brooklyn, New York, on

January 9, 2013, at 9:30 ~~o'clock~~ A.M., why an order should not be issued pursuant to Rule 69 of
the Federal Rules of Civil Procedure ("FRCP") and Rules 5223, 5224(a), and 2308(b) of the
New York Civil Practice Law and Rules ("N.Y. CPLR"):

(a) Compelling N.B. Marble to respond to the information subpoena served upon N.B.
Marble on March 2, 2012;

(b) Requiring N.B. Marble to pay plaintiff \$2,584.00 consisting of \$50.00 as costs, \$50.00
as a penalty and \$2,484.00 in attorney's fees as damages incurred by plaintiff in attempting to
effect compliance with the information subpoena and in making this motion.

ORDERED that personal service by overnight delivery of this order, annexed declaration, exhibits, and
memorandum of law upon N.B. Marble on or before 5:00 p.m. December 7
o'clock on December 7, 2012 shall be
deemed good and sufficient service thereof.

and file on ECF
IT IS FURTHER ORDERED, that defendant shall serve any answering or responsive papers upon Fox Rothschild, LLP, 100 Park Avenue, 15th Floor, New York, New York 10017, attorneys for plaintiff, so that said papers are received by said attorneys no later than *January 2, 2013*

Any reply papers shall be served by *January 7, 2013*

DATED: *Brooklyn* New York, New York *and filed at noon on ECF*

ISSUED *12/04/12*

/s/: VMS

Magistrate
United States District Judge